

## **CITY COUNCIL MINUTES**

**August 13, 2012**

The Honorable Council of the City of Evansville met on regular session at 5:30 p.m. on Monday, August 13, 2012 in the City Council Chambers, Room 301 Civic Center Complex, Evansville, Indiana, with President Connie Robinson presiding. The following business was conducted.

**These minutes are not intended to be a verbatim transcript. Audiotapes of this meeting are on file in the City Clerk's Office.**

### **ROLL CALL:**

**Present:** McGinn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, Weaver, Robinson.

**Absent:** O'Daniel

There being eight (8) members present and one (1) member absent and eight (8) members representing a quorum, I hereby declare this session of the Common Council officially open.

### **PLEDGE OF ALLEGIANCE**

This evening the pledge of allegiance is led by Councilman Lindsey.

Fellow Councilmen and those in the audience, welcome to the August 13, 2012 meeting of the Common Council.

### **RECOGNITION OF SCHOOLS**

Are there any students in the audience that would like to be recognized?

### **COUNCIL ATTORNEY**

This evening John Hamilton is City Council Attorney.

### **SERGEANT AT ARMS**

This evening there is no Sergeant at Arms.

### **READING AND AMENDMENT OF MINUTES**

Is there a motion to approve the minutes of the July 23, 2012 meeting of the Common Council as written?

Councilwoman Mosby moved and Councilman Friend seconded the motion to approve the minutes of the regular meeting of the Common Council held July 23, 2012 as written. Voice vote. So ordered.

### **REPORTS AND COMMUNICATIONS**

#### **IN YOUR AUGUST 10<sup>th</sup> PACKET:**

\*City Council Agenda for the August 13, 2012 City Council meeting.

\*Committee Meeting Schedule.

\*City Council Meeting Minutes from the July 23, 2012.

\*Ordinance G-2012-14 as Amended, G-2012-15, G-2012-16, and F-2012-12.

\*Resolution C-2012-17.

\*Rezoning Ordinance R-2012-17.

\*Area Plan Commission Staff Reports and Minutes of the APC July 12, 2012 Meeting.

- \*Schedule of Meetings in the City/County Administration Bldg. for August 2012.
- \*2013 Budget Hearing Schedule.
- \*Tax Phase-in Compliance Report.
- \*United Way Forms.
- \*Updated Sewer Department CIP Budget (Page 11)

**ON YOUR DESK THIS EVENING:**

- \*Revised 2013 Budget Hearing Schedule
- \*Revised Committee Meeting Schedule

**President Robinson:** Can I have a motion to receive, file and make these reports and communications part of the minutes of the meeting?

Councilwoman Mosby moved and Councilman Adams seconded the motion to receive, file and make these reports and communications a part of the minutes of the meeting. Voice vote. So ordered.

**CONSENT AGENDA**

**FIRST READING OF ORDINANCES OR RESOLUTIONS**

**ORDINANCE G-2012-15 PUBLIC WORKS McGINN**

An Ordinance to Vacate certain platted right-of-way being part of a 12' public utility and drainage easement along the common line of Lots 21 & 22 in Eagle Crest Section 2 within the city of Evansville, Indiana Commonly known as 8003 & 8105 Walnut Street

**ORDINANCE G-2012-16 PUBLIC WORKS McGINN**

An Ordinance amending Chapter 13.15 (Water) of the Evansville Municipal Code

**ORDINANCE F-2012-12 FINANCE FRIEND**

An ordinance of the Common Council of the City of Evansville authorizing transfers, repeals, and re-appropriations, and additional appropriations of funds within a city department.

**RESOLUTION C-2012-17 FINANCE FRIEND**

A Resolution of the Common Council approving an Interlocal Agreement with Vanderburgh County (Paving at Oak Hill Cemetery)

**ORDINANCE R-2012-17 TO APC R-2 to R-3**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 225, 227 and 229 S. Tekoppel Ave., Evansville, Indiana

Petitioner: Robert D. Cavins  
 Owners: Same  
 Representative: Same  
 Council District: Al Lindsey-Ward 6

**President Robinson:** Is there a motion to adopt the Consent Agenda as written?

Councilman Lindsey moved and Councilwoman Riley seconded the motion to adopt the Consent Agenda First Reading as written. Voice vote. So ordered.

**CONSENT AGENDA**

**SECOND READING OF ZONING ORDINANCES**

**ORDINANCE R-2012-13 FROM APC**

**C-4 to M-1**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 1808 S. New York Avenue, Evansville, Indiana

Petitioner: Randall L. Evans, Sr. and Patricia G. Rahm

Owners: Randall L. Evans, Sr., Patricia G. Rahm, Tom Evans, James Evans

Representative: Nancy L. Evans

District: Connie Robinson, Ward 4

This petition comes forward with a recommendation for approval from the APC, having 8 affirmative votes and 2 negative votes.

**ORDINANCE R-2012-14 FROM APC**

**M-1 to M-2**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 2406 and 2410 Lynch Road, Evansville, Indiana

Petitioner: C2S Holdings, LLC, Kevin Harris, VP

Owners: Same

Representative: Andy Easley Engineering, Inc.

District: John Friend, Ward 5

This petition comes forward with a recommendation for approval from the APC, having 10 affirmative votes.

**ORDINANCE R-2012-15 FROM APC**

**R-1 to CO-1 With/U&D Comm**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 1425 Covert Ave, Evansville, Indiana

Petitioner: Jeffrey B. and Jane M. Baker

Owners: Same

Representative: Joseph M. Baker

District: Constance Robinson, Ward 4

This petition comes forward with a recommendation for approval from the APC, having 10 affirmative votes.

Councilman Friend moved and Councilwoman Mosby seconded the motion to adopt the Consent Agenda Second Reading of Zoning Ordinances and to accept the Area Plan Commission Report. Voice vote. So ordered. Council now stands at Third Reading which is final action.

**REGULAR AGENDA**

**THIRD READING OF ZONING ORDINANCES**

**ORDINANCE R-2012-13 FROM APC**

**C-4 to M-1**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 1808 S. New York Avenue, Evansville, Indiana

Petitioner: Randall L. Evans, Sr. and Patricia G. Rahm

**President Robinson:** Okay, petitioner. Is there someone here for R-2012-13? State your name and address please.

**Dave Condi:** Dave Condi, Posey County Line Road. Randall could not make it tonight so he asked if I would stand in for him if you have any questions.

**President Robinson:** Okay, why don't you give us a brief overall of what you plan on doing.

**Dave Condi:** The property that the family owns on New York Avenue currently has a body shop as a tenant and they didn't know it until they signed the lease and had been in operation for a few months that they were not compliant with the proper zoning. That is why they have applied to have the right zoning for it. They will comply with the other ordinances as far as the fence and improvements to the property to also go along with the requirements for M-1 zoning. The property has already been inspected as far as the EPA, the city and the state as far as filtration for the paint operations. They are in compliance. They are just not in compliance with the zoning.

**President Robinson:** Okay. Are there any questions?

**Councilman McGinn:** Briefly. Hi Mr. Condi. This property, up until a few years ago, always had some type of upholstery shop or automobile related shop.

**Dave Condi:** Correct. An upholstery shop then it had a towing service for a while, and then it sat vacant for a while until they found this tenant to move into it.

**Councilman McGinn:** Okay, so until this rezoning came up, there really has been no fencing requirement for cars or anything that was there before.

**Dave Condi:** Correct. There is fencing there now but it is only a four foot fence.

**Councilman McGinn:** Okay. To comply, it has to be higher and shield a little more...

**Dave Condi:** Right. It is not the proper height, right.

**Councilman McGinn:** Okay. I noticed at Area Plan Commission there were...have you heard from any of the neighbors who are...

**Dave Condi:** No, they are all fine. They are good with the operation. They look out for each other down there.

**Councilman McGinn:** Thank you sir.

**Dave Condi:** The biggest concern with body shops is the dust and they have been good as far as the filtration systems and keeping it clean.

**Councilman McGinn:** Thank you.

**President Robinson:** Are there any other questions from any Council members? Is there anyone in the audience that would like to speak for this or against it?

Is there a motion to adopt Ordinance R-2012-13 and call the roll?

Councilman Friend moved and Councilman Adams seconded the motion to adopt Ordinance R-2012-13 and call the roll.

### **ROLL CALL**

**Ayes:** McGinn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, Weaver, Robinson

**Absent:** O'Daniel

There being eight (8) Ayes and zero (0) Nays, Ordinance R-2012-13 is hereby declared adopted.

### **REGULAR AGENDA**

#### **THIRD READING OF ZONING ORDINANCES**

##### **ORDINANCE R-2012-14 FROM APC**

**M-1 to M-2**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 2406 and 2410 Lynch Road, Evansville, Indiana

Petitioner: C2S Holdings, LLC, Kevin Harris, VP

**President Robinson:** State your name and address.

**Justin Schoffstall:** Justin Schoffstall at Easley Engineering, 1133 W. Mill Road. I am representing the petitioner on this rezoning. Essentially, just to summarize what was in the APC Staff Report you should have with this is the rezoning of the current M-1 property to M-2. It is kind of a two-fold deal to allow the expansion of the chemical operation that is currently there on that property, which has been there for closer to 20 years than 15. It is also to allow them to do the construction for what is being proposed at this time, which is a brewery and distillery. If that does not go over, it allows them to continue their chemical expansion for those use groups in M-2 to use over that proposed construction.

The property itself is predominantly surrounded by M-2 with some M-1 on west boundary of our property. With last month's APC meeting, it was unanimous, 10 votes for the rezoning. I would say as far as layman's terms, almost a no-brainer on the rezoning for that use.

I am here to answer any questions you may have.

**President Robinson:** Are there any questions from any Council members? Is there anyone in the audience for or against this rezoning?

Is there a motion to adopt Ordinance R-2012-14 and call the roll?

Councilwoman Mosby moved and Councilman Friend seconded the motion to adopt Ordinance R-2012-14 and call the roll.

**ROLL CALL**

**Ayes:** McGinn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, Weaver, Robinson

**Absent:** O'Daniel

There being eight (8) Ayes and zero (0) Nays, Ordinance R-2012-14 is hereby declared adopted.

**President Robinson:** Thank you.

**Justin Schoffstall:** Thank you.

**REGULAR AGENDA**

**THIRD READING OF ZONING ORDINANCES**

**ORDINANCE R-2012-15 FROM APC**

**R-1 to CO-1 With/U&D Comm**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 1425 Covert Ave, Evansville, Indiana

Petitioner: Jeffrey B. and Jane M. Baker

**President Robinson:** Your name and address please.

**Jeff Baker:** My name is Jeff Baker and my address is 170 Hwy. 261, Boonville, IN

**President Robinson:** Okay, can you summarize what you plan on doing?

**Jeff Baker:** Yes. Our office has been located in the back of a Subway Sandwich Shop for the last several years. Because of expansion and the desire to provide better service for our clients, we are moving around the corner onto Covert Ave. I have a tax office, an accounting office. Most of the time it is taxes. We are really busy for a couple of months and after that, we just see clients and take care of them there.

**President Robinson:** I thought that was your ward Missy. They have it under mine; I thought it was yours. Yeah, it is yours. Okay. Are there any questions from any Council members?

**Councilwoman Mosby:** What is adjacent to this residential piece of property?

**Jeff Baker:** There is the Subway and then a vacant lot.

**Councilwoman Mosby:** It is the vacant lot?

**Jeff Baker:** No, no, no. Then there is the gray engineering building, there is a brick building next to that and it is the next brick building. There is a brick house on the other side with an alley.

**Councilwoman Mosby:** Okay

**Jeff Baker:** And so it is a...

**President Robinson:** I know where it is. Okay, are there any other questions from any Council members? Is there anyone in the audience that wants to speak for or against this?

Is there a motion to adopt Ordinance R-2012-15 and call the roll?

Councilwoman Mosby moved and Councilman Friend seconded the motion to adopt Ordinance R-2012-15 and call the roll.

**ROLL CALL**

**Ayes:** McGinn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, Weaver, Robinson

**Absent:** O'Daniel

There being eight (8) Ayes and zero (0) Nays, Ordinance R-2012-15 is hereby declared adopted.

**CONSENT AGENDA**

**SECOND READING OF ORDINANCES OR RESOLUTIONS**

**ORDINANCE G-2012-14 (AMENDED) A.S.D.**

**MOSBY, ADAMS,**

**WEAVER, LINDSEY**

An Ordinance amending Section 9.10.020 of the Evansville Municipal code (Fireworks)

**COMMITTEE REPORTS:**

**A.S.D. COMMITTEE:**

**CHAIRWOMAN MOSBY**

**Councilwoman Mosby:** Madam President, your A.S.D. Committee met this evening to hear Ordinance G-2012-14 and it comes forward with a do pass recommendation.

**President Robinson:** Thank you. Can I have a motion to accept the Committee Reports?

Councilman Friend moved and Councilwoman Mosby seconded the motion to adopt the Committee Reports and move this Ordinance to Third Reading. Voice vote. So ordered.

**REGULAR AGENDA**

**THIRD READING OF ORDINANCES OR RESOLUTIONS**

**ORDINANCE G-2012-14 (AMENDED) A.S.D.**

**MOSBY, ADAMS,**

**WEAVER, LINDSEY**

An Ordinance amending Section 9.10.020 of the Evansville Municipal code (Fireworks)

**President Robinson:** Is there a motion to adopt Ordinance G-2012-14 as amended and call the roll?

Councilman Weaver moved and Councilman Adams seconded the motion to adopt Ordinance G-2012-14, as amended, and call the roll.

**ROLL CALL**

**Ayes:** Mosby, Friend, Lindsey, Adams, Weaver, Robinson

**Nays:** McGinn, Brinkerhoff-Riley

**Absent:** O'Daniel

There being six (6) Ayes and Two (2) Nays, Ordinance G-2012-14, as amended, is hereby declared adopted. Thank you.

### **MISCELLANEOUS BUSINESS**

There will not be a City Council Meeting next Monday, August 20, 2012. The next City Council meeting will be Monday, August 27, 2012 at 5:30 p.m. Committee meetings will begin at 5:10 p.m. on August 27th.

**President Robinson:** We have Budget Hearings in this room starting Wednesday, August the 15<sup>th</sup> at 4:00, Thursday, August 16<sup>th</sup> at 4:00, and Friday, August the 17<sup>th</sup> at 4:00.

Philip Hooper was scheduled to come before us. I asked him to give his report at Budget Hearings. His wife has pneumonia and I thought that he should go home so I hope no one is upset about that.

Next, we have a representative from GAGE.

**Councilman Weaver:** Madam President, when is the third day of Budgets?

**President Robinson:** It would be the 17<sup>th</sup>, Friday at 4:00 p.m. So we are going to meet Wednesday, Thursday and Friday.

**Councilwoman Mosby:** And Madam President, for the record, I will not be here on Friday, August 17<sup>th</sup>.

**President Robinson:** Kelly, welcome aboard.

**Kelly Coures:** Thank you. *(Inaudible)*

**President Robinson:** Okay well, Dr. Adams wanted to know what Kelly does. Would you like to come here and tell us? Kelly is new employee of the Department of Metropolitan Development and the City is very fortunate to have Kelly.

**Kelly Coures:** Well God bless you for that Connie Robinson. I took Laura's place in DMD as Community Development Coordinator so I look forward to working with the Council to make Evansville a better place for people who need affordable housing.

I worked for the American General Corporation for 32 years until February and so now I am here and I am very pleased to be here. I hope I bring enough experience to get the job done.

*(Inaudible)*

I have. *(Laughter)* Thank you Doctor.

**President Robinson:** We look forward to working with you Kelly.

**Kelly Coures:** Thank you. Thank all of you.

**Councilwoman Mosby:** Congratulations

**Councilman McGinn:** Yeah, welcome aboard Kelly.

**President Robinson:** Well I think you have the support of this Council, Kelly.

**Kelly Coures:** Every one of them are wonderful people. Every one.

**President Robinson:** Thank you.

*(Inaudible)*

*(Laughter)*

**President Robinson:** You know what, it is sad but it is so true. *(Laughter)*

Okay, I am sorry Shance. You want to come up?

**Shance Sizemore:** I don't know that I can be that positive. My name is Shance Sizemore and I am with the Growth Alliance. I am here to present the second and final grouping of the Tax Compliance Forms.

On this one, you will see four. We have two from the Singular Wireless ATT and two from Berry Plastics.

Kind of a quick rundown...I was waiting on information coming back from the companies to try to give some more information. Then there was one, the one that was both over 100% for Berry; they had just misplaced that file so I was just waiting for them to get it to me.

With that, the Singular Wireless station, actually they have, since the Compliance Form has been put out, they have kind of shifted some of their work to more IT rather than customer service. As you can see in her letter to me, they have actually increased employment count, which is very positive.

Then the Berry one with the 29% compliance as far as investment...looking at their early numbers, the first couple of years they had 100% compliance in that. It looks like when they were doing a project, they shifted some investment around and moved it to a different project so they were no longer able to use that investment as a number.

Are there any questions, comments, concerns about any of the four?

**President Robinson:** Councilman McGinn

**Councilman McGinn:** Yes. Question or information. Hi, thank you for this. I always look at these. I know there are different factors that come into play and you know, the investment plus the actual employment adds up to 200% and I am generally kind of happy.

However, there have been some in the past where we are faced with an all or nothing situation. I mean they are really not in substantial compliance and there is usually a letter that comes in and there is an explanation and it may be the economy or it may be something. In some of those situations, knowing some of the background of these companies, I think all of us, and I think I speak for all of us, do not want to withdraw the entire package from them and make them pay all of their taxes.

I know we cannot do it on these that are in effect, but several months ago I made an inquiry of GAGE and I think maybe you were doing some research on it but I have not heard anything yet about whether or not other cities have a procedure whereby we can have a partial repealing of their tax packet. Let's say if a company is only 50% compliant, maybe, you know, it comes in year four when they are supposed to pay 40% of their taxes or they get a 60%, you know, abatement of their property taxes in year four. We take half that away and they have to pay 60% of it. I mean, kind of a percent...they only get a percentage of their abatement based on the percentage of their compliance, that is, if they are not in compliance.

Is that something that can be done? Have you looked into that or do you know...?

**Shance Sizemore:** Actually, this is the first time that I have heard that one.

**Councilman McGinn:** Okay

**Shance Sizemore:** I know we have talked in the past about the potential for extended clawback agreements.

**Councilman McGinn:** Clawbacks. Correct

**Shance Sizemore:** I have looked into those. Those are used on a limited basis but very minimally as far as percentagewise. I am fairly familiar with the statute and I know that there are some limitations on what you can and cannot do based on the statute. I will look into that further for you.

**Councilman McGinn:** I appreciate that. Yeah, I mean there are some times where, you know, I personally am not sure whether or not the excuse, "Gee it's the economy, stupid", is legitimate.

**Shance Sizemore:** Absolutely.

**Councilman McGinn:** I do not want to be taken advantage of because some of these things are, you know, I, and I say that as a citizen of Evansville, if we are giving substantial tax breaks that other people do not get. Then the clawback situation...I am still interested in that. I mean I know the state has them and especially companies that have been long time residents of Evansville, Indiana. You know, the odds are they would not leave; the odds are if there is a clawback provision, it really won't make much difference. I mean, if that could be an option on some of these things, if we can amend an ordinance for an option. I know you say they are not used but I notice the state uses them frequently.

**Shance Sizemore:** Correct. I would say on the local level they are not used very often. The state does have them but the state also includes them a lot when they are giving out Edge Credits or their base tax credits, which are based on revenue rather than the actual investment.

I have looked into that and I have also considered options, especially things like the breaking point or when does their investment to our community actually create a positive economic impact for us. If they are creating a positive economic impact in, you know, five years, you know we have actually gained a little bit from that investment. That is something we are considering as we move forward.

**Councilman McGinn:** Okay, all right. Thanks

**Councilman Lindsey:** I have a question.

**President Robinson:** Yes, Councilman Lindsey.

**Councilman Lindsey:** Well, I mean, you know I am new to this stuff but I have a question for you. I want to get back to this Spring Leaf. I mean there is a company there that literally shut down an entire building on the east side and moved all their people to the west side...that they had left, the ones that actually survived the cuts. But they are compliant with whatever the contract was or the abatement, however it was worded or however it was written or whatever. I mean, is that something that...should that be a lesson to you in the future to be looking for that? Yeah, they are compliant according to the agreement that they wrote, but let's face it, those jobs are gone. They are not coming back so they are still getting their abatement but we are not getting the jobs. The jobs are not there, they are gone.

**Shance Sizemore:** Correct. That one, obviously, that was pre my time with this one. But you know, as far as a personal level, I completely understand where you are coming from and I know personally I try to prevent any possibility of that happening. They are looked at on a case-by-case basis. When they are doing an application, they do an application based per project and how much that project will either save or keep.

Spring Leaf unfortunately had to lay-off several people. It looks as if they have done some consolidating. I do not know the exact inner-workings of the company. You know, in the future, especially with situations like that, I have no problem, especially after that first time, coming back, bringing them in here, saying hey, you know what, they have questions. Because when it comes to that final decision, it is essentially up to the Council.

**Councilman Lindsey:** Well, you know I mean this whole idea of abatements is to stimulate our economy...

**Shance Sizemore:** Correct. Absolutely.

**Councilman Lindsey:**...and to have companies come in but I mean that is nothing more than abuse. I mean let's face it, it is supposed to bring jobs in. It is not supposed to hide and protect the company. You know, we want the companies to come here so we want to work with them but this is just the opposite of that. I mean they just work the system is basically what they have done.

I want to make sure that in the future, you know, I want you to look at that as far as making sure that does not happen again. I mean it could happen the first time to anyone but let's make sure that is not a habit or something other companies are going to be able to...

**Shance Sizemore:** I think if you look them, they obviously, they did not come in and do the investment thing thinking that they were going to have all these issues.

**Councilman Lindsey:** Right

**Shance Sizemore:** They, you know, their hope is to grow and to keep building. Unfortunately, it did not happen for them and you know they had to kind of re-shuffle their cards and start partially from anew.

**Councilman Lindsey:** I understand all that but I am just looking at it from the City's side.

**Shance Sizemore:** Absolutely. I understand.

**Councilman Lindsey:** We want jobs...

**Shance Sizemore:** Absolutely.

**Councilman Lindsey:**...we do not want to subsidize companies. We want to have employees and people employed in the City. Thank you. I appreciate it.

**Shance Sizemore:** No problem

**President Robinson:** Councilman Adams

**Councilman Adams:** Hi. Two points. Mr. Hamilton, obviously we could not grandfather...you would have to grandfather the existing agreements so that you would not have clawbacks on those people who are already receiving abatements, number one. Number two, we could make that percentage point anything we wanted. We wouldn't necessarily have to have it...if there was 60% left we might just only ding them 10% or 20% just to give them a goad, if you will. Can we do that?

**Counsel Hamilton:** Well, I looked at this a few years ago when this same discussion was happening. In my recollection is at that time is this Council really cannot do much of anything by ordinance to address this. What has to happen, in my opinion, would be at the inception of the contract; there would have to be a contract between the City and whoever is petitioning for the tax phase-in, prior to receiving the tax phase-in, which could contain clawback provisions and address these types of issues. The contract would then be enforceable by the City.

**Councilman Adams:** But we would not have to accept the contract. We would not have to accept the abatement unless they had a clawback in the contract...

**Counsel Hamilton:** Correct. Because the same statute...

**Councilman Adams:**...so we have that ability to force a change.

**Counsel Hamilton:** Right. Because the state statute governs the tax phase-in and even contains the language that I know you are all familiar with that says if the non-compliance is due to factors beyond their control, which could be the economy or whatever, then you really cannot terminate them under that statute. Therefore, I think the only mechanism that would be possible would be by contract between the City at the inception of the contract. I remember there were some issues with that but I cannot remember what they were but I know that that was the only mechanism available.

**Councilman Adams:** I would also like to make the observation to the new members of Council that this is a light-year better than it used to be. I mean just the concept of you guys (*Indicating GAGE*) doing a great job of going after every company; making sure that they document why things are going and the letters...at one time I think we had what, two or three or four people that didn't even respond to your queries. I think the fact that they know they have to at least explain what they are doing has really helped a lot. Thank you.

**Shance Sizemore:** No problem.

**Councilwoman Riley:** I have a point just to follow up on Mr. Lindsey and also what Mr. Hamilton said. This idea of entering into Memorandums of Understanding that coincide with the abatements is something that I really encourage GAGE to look at. When there is something that is beyond the control of the company, and I think some of what happened with Spring Leaf could arguably be that, but it my hope that when a company is considering down-sizing or leaving Evansville in the future that we have a Memorandum of Understanding so that it is a legitimate concern. When they are making a decision about whether to lay-off people or to leave here, they actually have to think about this idea that they might have to return some of the money and so it becomes a factor that goes into their decision making process. I mean, I would like for it to be a real player when companies are making those decisions. I mean they are hard decisions. No company typically, you know, wants to leave, you know, a city that is has been in for a significant period of time but it does happen. But we need to be...it needs to be on the table, this idea that they could potentially have to return the abatement. So I like this...I too believe that the only way is through a separate Memorandum of Understanding. It is just something that I would like for GAGE to think about bringing up when you are negotiating with companies because I think, and I can't speak for all of Council, but I think there are several people on Council that are not looking to...are going to be unwilling to approve abatements that do not come with a Memorandum of Understanding that has that in it in the sense that it is something we don't want to encourage Economic Development. That is part of our role. It is very important but this idea that they take it seriously...and I really...I don't know you and you know, but I'm thrilled that you came before us. I understand what Dr. Adams said is true. And I think it is fantastic that we are getting these compliance reviews and that people are responding to them and so I really appreciate you coming forward with this.

**Shance Sizemore:** (*Inaudible*) I know that it has be a topic of discussion in the past and we are looking at all...I have a stack on my desk of files that are in my "To Research" folder and I just keep adding to it as I find more and more groups. And you know I've heard everything from some city saying, you know, one of the biggest fears when going into a situation like this if you are putting it in another memorandum, you put something in kind of makes them think twice before leaving, it also makes them think about that before coming into town too. And so that was one of the big fears is, okay, maybe they will go to another town that is offering something very similar, close to what we are offering, because they don't have this extra tape at the end, just in case something does happen. I am not saying that is going to be a preventative factor...

**Councilwoman Riley:** Just a balanced approach.

**Shance Sizemore:** Yes, absolutely. And it is something worth looking at.

**President Robinson:** Councilman Adams

*(Inaudible)*

**Shance Sizemore:** I digress. I am finished.

**Councilman Adams:** Well I am going to change the subject.

**Shance Sizemore:** Change the subject...

*(Inaudible)*

**Shance Sizemore:** Okay, thank you.

**Councilman Adams:** I will start again. *(Inaudible)*...some of you. No, no, no?

**President Robinson:** Not yet.

**Councilman Adams:** Yes, yes, yes. Thank you. I have talked to some of you about the possibility of hiring a researcher or perhaps contracting out for research and so forth like that. This is a mixed bag. I would like you all, if you have the time, I know it is a busy week, somewhere in the next couple of weeks, please talk to our chairperson, President Ms. Robinson, and let her know how you feel about it so that we either move forward with it or not, depending on how you feel.

**Councilman Friend:** May I add...it's in the bu...the administration, from my request, has put funding in there for us for this and I think it's, I believe \$100,000.

**President Robinson:** *(Inaudible)*

**Councilman Friend:** \$100,000, which will allow us...,and I do appreciate the administration doing that. That was great. So we do have the funding. Before we didn't have it.

**President Robinson:** But keep in mind that if we make it a position and not a contract...

**Councilman Friend:** Right

**President Robinson:**...employee, it has to go before SAC to be approved.

**Councilman Adams:** And we cannot do this for travel.

**President Robinson:** *(Inaudible)*

**Councilman Friend:** Well that does it. Take the money off the table.

*(Laughter)*

**Councilman Weaver:** Is this something we cannot decide right now?

**President Robinson:** Well you know, just get back to us...*(Inaudible)*...later.

*(Inaudible)*

**Berniece Tirmenstein:** Berniece Tirmenstein, 1636 E. Blackford Ave. I would like to discuss the Tox Away Program. Saturday, September 8<sup>th</sup> will be Tox Away Day at Roberts Stadium parking lot from 9:00 a.m. to 2:00 p.m. It will be the last time the designated collection site will be at Roberts. This program was started back in 1993 or 1994 as the date was given to me by a man from Solid Waste this morning. Prior to 1993, I urged City leaders to initiate this program here. It was in other cities, keeping toxic waste out of the landfills. Think of the amount of toxins that were kept out of the landfills in those 18 years of operation. Concerned about issues, I called Solid Waste this morning, August 13<sup>th</sup>, and got this information. They are looking at several possible collection sites. One is First Avenue and Diamond Avenue parking lot. It would present a traffic problem. There would be a need for a policeman directing traffic. Another better site could be the Central High School parking lot but it would have to be during the summer when school is not in session, making for a one-time a year collection. This too would have to be worked out with the Evansville Vanderburgh School Corporation. None would be as good as Roberts Stadium where traffic flow, in and out, was so good.

I asked what counties used this program. The answer was Vanderburgh, Posey, that pays part, and some in Warrick County. The final answer was the program would go on. We will find a solution.

**Councilman Adams:** They could use the parking lot right out back here, couldn't they?

**Berniece Tirmenstein:** He did not mention that and I don't know why the reasoning. I have heard others say that.

**Councilman Adams:** I mean it is centrally located,...

**Berniece Tirmenstein:** I can see a big...

**Councilman Adams:**...it is not owned by the School Corp.

**Berniece Tirmenstein:** I can see a big bottleneck of traffic at First Avenue and Diamond.

**Councilman Adams:** It is hard to get into. You are right.

**Berniece Tirmenstein:** Right

**Councilman Weaver:** But there is a traffic light so that is the good part.

**Berniece Tirmenstein:** Yes

*(Inaudible)*

**President Robinson:** Berniece, I think...have you...*(Inaudible)*...Solid Waste...*(Inaudible)*... What does that need...*(Inaudible)*.

**Councilwoman Mosby:** That would need to go in front of the Solid Waste Board and they meet, it is generally the third Tuesday of the month at 4:00 p.m. in this location.

**Berniece Tirmenstein:** Thank you.

**President Robinson:** Thank you for your observation. Is there anything else to come before Council tonight?

We would like to extend our sympathy to Councilman O'Daniel in the passing of his father.

If there is nothing else, Committee Reports.

**COMMITTEE REPORTS:**

**A.S.D. COMMITTEE:**

Nothing scheduled at this time.

**CHAIRMAN MISSY MOSBY**

**FINANCE COMMITTEE:**

Re: Resolution C-2012-17

Date: August 27, 2012

Time: 5:10 p.m.

Notify: Ted Ziemer

**CHAIRMAN JOHN FRIEND**

Interlocal Agreement for paving at  
at Oak Hill Cemetery.

Re: Ordinance F-2012-12

Date: August 27, 2012

Time: 5:15 p.m.

Notify: Philip Hooper/Jane Reel, DMD

Authorization of Appropriation and Transfer  
of Funds (DMD)

Re: Ordinance F-2012-11

Date: September 10, 2012

Time: 5:10 p.m.

Notify: Philip Hooper/Jane Reel, DMD

Approving the CDBG, ESG, HOME  
Ordinance.

**PUBLIC WORKS COMMITTEE:**

Re: Ordinance G-2012-15

Date: August 27, 2012

Time: 5:20 p.m.

Notify: Bret Sermersheim

**CHAIRMAN DAN MCGINN**

Petition to vacate 12' Utility Easement  
8003 & 8105 Walnut Street.

Re: Ordinance G-2012-16

Date: August 27, 2012

Time: 5:25 p.m.

Notify: Ted Ziemer

Amending Chapter 13.15 (Water)

**President Robinson:** I think for that finance ordinance John we changed that why you were off. Ordinance F-2012-11, we will hear that September 10, 2012 at 5:10. That's the CDBG, ESD and HOME ordinance.

**Councilman Friend:** *(Inaudible)*

**President Robinson:** It will be September 10<sup>th</sup>.

**Councilman Friend:** Okay, thank you.

**President Robinson:** 5:10. I am sorry. I changed that. Then you have your *(Inaudible)*

**Councilman Friend:** Yeah, but keep in mind that this is going to be on Wednesday, Thursday and Friday not Tuesday, Wednesday and Thursday.

**President Robinson:** Yes, we have it on our new sheet Wednesday, Thursday, and Friday...

**Councilman Friend:** Again, I have the old sheet. Excuse me.

**President Robinson:** A couple of Council members have asked how long this will last. You can count on staying longer than two hours per night.

**Councilman Friend:** Oh, absolutely.


*(Inaudible)*


Oh yeah. They will probably be three-hour meetings.

**President Robinson:** At least three-hour meetings. *(Inaudible)*...anyone in the audience?

Councilwoman Mosby moved and Councilwoman Riley seconded the motion to adjourn.  
Voice Vote. So Ordered.

Meeting adjourned at 6:10 p.m.

  
\_\_\_\_\_  
Laura Brown, City Clerk

  
\_\_\_\_\_  
Constance Robinson, President

The Honorable Council of the City of Evansville is hereby called to order. Madam Clerk, please call the roll.

**ROLL CALL**

☒ MCGINN

☒ FRIEND

☒ O'DANIEL ABSENT

☒ MOSBY

☒ LINDSEY

☒ WEAVER

☒ BRINKERHOFF-RILEY

☒ ADAMS

☒ ROBINSON

There being 8 members present, 1 members absent, and 8 members representing a quorum, I hereby declare this session of Common Council officially opened.

**PLEDGE OF ALLEGIANCE**

This evening the pledge of allegiance will be led by Lindsey.

Fellow Councilmen and those in the audience, welcome to the August 13, 2012 meeting of the Common Council.

**RECOGNITION OF SCHOOLS**

Are there any students in the audience who would like to be recognized?

SCHOOL: \_\_\_\_\_  
NAME: \_\_\_\_\_

SCHOOL: \_\_\_\_\_  
NAME: \_\_\_\_\_

**COUNCIL ATTORNEY**

This evening John Hamilton is City Council Attorney.

**SERGEANT AT ARMS**

This evening Officer NONE is our Sergeant at Arms.

**READING AND AMENDMENT OF MINUTES OF PRECEDING MEETING**

Is there a motion to approve the minutes of the July 23, 2012 meeting of the Common Council as written? :

Councilman Mosby moved and Councilman Friend seconded the motion that the minutes of the regular meeting of the Common Council held

July 23, 2012 be approved as written. Voice vote. ☒ So ordered. ☒

**REPORTS AND COMMUNICATIONS**

**IN YOUR AUGUST 10<sup>th</sup> PACKET:**

- \*City Council Agenda for the August 13, 2012 City Council meeting.
- \*Committee Meeting Schedule.
- \*City Council Meeting Minutes from the July 23, 2012.
- \*Ordinance G-2012-14 as Amended, G-2012-15, G-2012-16, and F-2012-12.
- \*Resolution C-2012-17.
- \*Rezoning Ordinance R-2012-17.
- \*Area Plan Commission Staff Reports and Minutes of the APC July 12, 2012 Meeting.
- \*Schedule of Meetings in the City/County Administration Bldg. for August 2012.
- \*2013 Budget Hearing Schedule.
- \*Tax Phase-in Compliance Report.
- \*United Way Forms.
- \*Updated Sewer Department CIP Budget (Page 11)

**ON YOUR DESK THIS EVENING:**

*Revised 2<sup>nd</sup> Budget Hearings Schedule*  
*Revised Committee Meeting Schedule*

Councilman Musky moved and Councilman Adams

seconded the motion to receive, file and make these reports and communications a part of  
the minutes of the meeting. Voice vote. ✓ So ordered. ✓

**CONSENT AGENDA**

**FIRST READING OF ORDINANCES OR RESOLUTIONS**

**ORDINANCE G-2012-15                      PUBLIC WORKS                      McGINN**

An Ordinance to Vacate certain platted right-of-way being part of a 12' public utility and drainage easement along the common line of Lots 21 & 22 in Eagle Crest Section 2 within the city of Evansville, Indiana Commonly known as 8003 & 8105 Walnut Street

**ORDINANCE G-2012-16                      PUBLIC WORKS                      McGINN**

An Ordinance amending Chapter 13.15 (Water) of the Evansville Municipal Code

**ORDINANCE F-2012-12                      FINANCE                      FRIEND**

An ordinance of the Common Council of the City of Evansville authorizing transfers, repeals, and re-appropriations, and additional appropriations of funds within a city department.

**RESOLUTION C-2012-17                      FINANCE                      FRIEND**

A Resolution of the Common Council approving an Interlocal Agreement with Vanderburgh County (Paving at Oak Hill Cemetery)

**ORDINANCE R-2012-17    TO APC                      R-2 to R-3**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 225, 227 and 229 S. Tekoppel Ave., Evansville, Indiana

Petitioner:                      Robert D. Cavins  
Owners:                      Same  
Representative:                      Same  
Council District:                      Al Lindsey-Ward 6

Is there a motion to adopt the Consent Agenda, First Reading as written?

Councilman Lindsey moved and Councilman Riley seconded the  
Motion to adopt the Consent Agenda First Reading as written. Voice vote. So ordered.

**CONSENT AGENDA**

**SECOND READING OF ZONING ORDINANCES**

**ORDINANCE R-2012-13 FROM APC**

**C-4 to M-1**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 1808 S. New York Avenue, Evansville, Indiana

Petitioner: Randall L. Evans, Sr. and Patricia G. Rahm  
Owners: Randall L. Evans, Sr., Patricia G. Rahm, Tom Evans, James Evans  
Representative: Nancy L. Evans  
District: Connie Robinson, Ward 4

This petition comes forward with a recommendation for approval from the APC, having 8 affirmative votes and 2 negative votes.

**ORDINANCE R-2012-14 FROM APC**

**M-1 to M-2**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 2406 and 2410 Lynch Road, Evansville, Indiana

Petitioner: C2S Holdings, LLC, Kevin Harris, VP  
Owners: Same  
Representative: Andy Easley Engineering, Inc.  
District: John Friend, Ward 5

This petition comes forward with a recommendation for approval from the APC, having 10 affirmative votes.

**ORDINANCE R-2012-15 FROM APC**

**R-1 to CO-1**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 1425 Covert Ave, Evansville, Indiana

Petitioner: Jeffrey B. and Jane M. Baker  
Owners: Same  
Representative: Joseph M. Baker  
District: Constance Robinson, Ward 4

This petition comes forward with a recommendation for approval from the APC, having 10 affirmative votes.

Is there a motion to adopt the Consent Agenda Second Reading of Zoning Ordinances and to accept the Area Plan Commission Report?

Councilman Friend moved and Councilman Masley seconded the motion

to adopt the Consent Agenda Second Reading of Zoning Ordinances and to accept the

Area Plan Commission Report. Voice vote. ✓ So ordered. ✓

Council now stands at Third Reading which is final action.

**REGULAR AGENDA**

**THIRD READING OF ZONING ORDINANCES**

**ORDINANCE R-2012-13 FROM APC**

**C-4 to M-1**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana,  
more commonly known as 1808 S. New York Avenue, Evansville, Indiana

Petitioner: Randall L. Evans, Sr. and Patricia G. Rahm

*Dave Kondus?*

*Robinson*

*McGinn*

*Dave*

*McGinn*

*Dave*

*McGinn*

*Dave*

*McGinn*

*Dave*

*Robinson*

Is there a motion to adopt Ordinance R-2012-13 and call the roll?

Councilman *Friend* moved and Councilman *Adams* seconded the  
motion to adopt Ordinance R-2012-13 and call the roll.

**ROLL CALL**

☒     MCGINN

☒     FRIEND

*A*     O'DANIEL

☒     MOSBY

☒     LINDSEY

☒     WEAVER

☒     BRINKERHOFF-RILEY

☒     ADAMS

☒     ROBINSON

There being *8* Ayes and *0* Nays, Ordinance R-2012-13 is hereby declared  
ADOPTED/DENIED.

**REGULAR AGENDA**

**THIRD READING OF ZONING ORDINANCES**

**ORDINANCE R-2012-14 FROM APC**

**M-1 to M-2**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana,  
more commonly known as 2406 and 2410 Lynch Road, Evansville, Indiana

Petitioner: C2S Holdings, LLC, Kevin Harris, VP

*Robinson*  
*Justin Schopfstatell*  
*Robinson*

Is there a motion to adopt Ordinance R-2012-14 and call the roll?

Councilman Mosby moved and Councilman Friend seconded the  
motion to adopt Ordinance R-2012-14 and call the roll.

**ROLL CALL**

✓ MCGINN

✓ FRIEND

A O'DANIEL

✓ MOSBY

✓ LINDSEY

✓ WEAVER

✓ BRINKERHOFF-RILEY

✓ ADAMS

✓ ROBINSON

There being 8 Ayes and 0 Nays, Ordinance R-2012-14 is hereby declared  
ADOPTED/DENIED.

**REGULAR AGENDA**

**THIRD READING OF ZONING ORDINANCES**

**ORDINANCE R-2012-15 FROM APC**

**R-1 to CO-1**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana,  
more commonly known as 1425 Covert Ave, Evansville, Indiana

Petitioner: Jeffrey B. and Jane M. Baker

*Robinson*  
*Jeff Baker*  
*Robinson*  
*Baker*  
*Robinson*  
*Mosby*  
*Baker*  
*Mosby*  
*Baker*  
*Mosby*  
*Baker*  
*Robinson*

Is there a motion to adopt Ordinance R-2012-15 and call the roll?

Councilman Mosby moved and Councilman Friend seconded the  
motion to adopt Ordinance R-2012-15 and call the roll.

**ROLL CALL**

<u>✓</u> MCGINN	<u>✓</u> FRIEND	<u>A</u> O'DANIEL
<u>✓</u> MOSBY	<u>✓</u> LINDSEY	<u>✓</u> WEAVER
<u>✓</u> BRINKERHOFF-RILEY	<u>✓</u> ADAMS	<u>✓</u> ROBINSON

There being 8 Ayes and 0 Nays, Ordinance R-2012-15 is hereby declared  
ADOPTED ~~DENIED~~.

**CONSENT AGENDA**

**SECOND READING OF ORDINANCES OR RESOLUTIONS**

**ORDINANCE G-2012-14 (AMENDED) A.S.D.**

**MOSBY, ADAMS.**

**WEAVER, LINDSEY**

An Ordinance amending Section 9.10.020 of the Evansville Municipal code (Fireworks)

**COMMITTEE REPORTS:**

**A.S.D. COMMITTEE:**

**CHAIRWOMAN MOSBY**

Councilwoman Mosby: Madam President, your A.S.D. Committee met this evening to hear Ordinance G-2012-14 and it comes forward with a (do pass/do not pass) recommendation.

Councilman Friend moved and Councilman Mosby seconded the motion to accept the committee reports and move these ordinances to the Third Reading.  
Voice vote. So ordered. ✓

**REGULAR AGENDA**

**THIRD READING OF ORDINANCES OR RESOLUTIONS**

**ORDINANCE G-2012-14 (AMENDED) A.S.D.**

**MOSBY, ADAMS,**

**WEAVER, LINDSEY**

An Ordinance amending Section 9.10.020 of the Evansville Municipal code (Fireworks)

Is there a motion to adopt Ordinance G-2012-14 as amended and call the roll?

Councilman Weaver moved and Councilman Adams seconded the motion to adopt Ordinance G-2012-14 as amended and call the roll.

**ROLL CALL**

<u>No</u> MCGINN	<u>✓</u> FRIEND	<u>A</u> O'DANIEL
<u>✓</u> MOSBY	<u>✓</u> LINDSEY	<u>✓</u> WEAVER
<u>No</u> BRINKERHOFF-RILEY	<u>✓</u> ADAMS	<u>✓</u> ROBINSON

There being 6 Ayes and 2 Nays, Ordinance G-2012-14 as amended is hereby declared ADOPTED/DENIED.

MISCELLANEOUS BUSINESS

There will not be a City Council Meeting next Monday, August 20, 2012. The next City Council meeting will be Monday, August 27, 2012 at 5:30 p.m. Committee meetings will begin at 5:10 p.m. on August 27th.

Shance Sizemore, GAGE: Tax Phase-in Compliance Report

Philip Hooper, DMD: Evansville Redevelopment Commission Report

Weaver	Shance	Adams	Bernice
Mosby	Lindsey	Robinson	Robinson
Robinson	Shance	Friend	
Kelly Coers	Lindsey	Robinson	
Adams	Shance	Friend	
Coers	Lindsey	Robinson	
Robinson	Robinson	Adams	
Mosby	Adams	Robinson	
(other Council Members)	Hamilton	Adams	
Coers	Adams	Friend	
Robinson	Hamilton	Weaver	
Shance Sizemore (GAGE)	Adams	Robinson	
Mc Ginn	Adams	Weaver	
Shance	Shance	Robinson	
Mc Ginn	Riley	Adams	
Shance	Shance	Robinson	
Mc Ginn	Mc Ginn	Bernice	Termination
Shance	Riley	Adams	
Mc Ginn	Shance	Bernice	
Shance	Robinson	Adams	
Mc Ginn	Adams	Bernice	
Robinson	Shance	Adams	
Lindsey	Adams	Weaver	
Shance	Shance	Mosby	
Lindsey	Robinson	Robinson	
		Mosby	

**COMMITTEE REPORTS:**

**A.S.D. COMMITTEE:**

Nothing scheduled at this time.

**CHAIRMAN MISSY MOSBY**

**FINANCE COMMITTEE:**

Re: Resolution C-2012-17

Date: August 27, 2012

Time: 5:10 p.m.

Notify: Ted Ziemer

**CHAIRMAN JOHN FRIEND**

Interlocal Agreement for paving at  
at Oak Hill Cemetery.

Re: Ordinance F-2012-12

Date: August 27, 2012

Time: 5:15 p.m.

Notify: Philip Hooper/Jane Reel, DMD

Authorization of Appropriation and Transfer  
of Funds (DMD)

Re: Ordinance F-2012-11

Date: September 10, 2012

Time: 5:10 p.m.

Notify: Philip Hooper/Jane Reel, DMD

Approving the CDBG, ESG, HOME  
Ordinance.

**PUBLIC WORKS COMMITTEE:**

Re: Ordinance G-2012-15

Date: August 27, 2012

Time: 5:20 p.m.

Notify: Bret Sermersheim

**CHAIRMAN DAN MCGINN**

Petition to vacate 12' Utility Easement  
8003 & 8105 Walnut Street.

Re: Ordinance G-2012-16

Date: August 27, 2012

Time: 5:25 p.m.

Notify: Ted Ziemer

Amending Chapter 13.15 (Water)

**Re: City Budget Hearings**

Date: August 15<sup>th</sup>, 16<sup>th</sup>, 17<sup>th</sup>, 2012 (Wednesday, Thursday, Friday)

Time: Wednesday, August 15<sup>th</sup> --- 4:00 p.m.

Thursday, August 16<sup>th</sup> --- 4:00 p.m.

Friday, August 17<sup>th</sup> --- 4:00 p.m.

Room 301

**ADJOURNMENT**

Councilman Mosby moved and Councilman Riley

seconded the motion to adjourn. Voice Vote. ✓ So Ordered. ✓

Meeting adjourned at 6:10 p.m.

**CITY COUNCIL  
COMMITTEE MEETING SCHEDULE**

.....  
**August 13, 2012**  
.....

**A.S.D. COMMITTEE:**

Re: Ordinance G-2012-14

Date: August 13, 2012

Time: 5:20 p.m.

Notify: John Hamilton

.....  
**CHAIRMAN MISSY MOSBY**  
.....

Amending Section 9.10.020

of the Municipal Code

regarding fireworks

.....  
**August 15, 16, 17, 2012 (Wednesday, Thursday, Friday)**  
.....

Re: City Budget Hearings

Date: August 15, 2012 (Wednesday)

Time: 4:00 p.m.

Room 301

Date: August 16, 2012 (Thursday)

Time: 4:00 p.m.

Room 301

Date: August 17<sup>th</sup>, 2012 (Friday)

Time: 4:00 p.m.

Room 301

.....  
**August 27, 2012**  
.....

**FINANCE COMMITTEE:**

Re: Resolution C-2012-17

Date: August 27, 2012

Time: 5:10 p.m.

Notify: Ted Ziemer

.....  
**CHAIRMAN JOHN FRIEND**  
.....

Interlocal Agreement for paving at

at Oak Hill Cemetery.

Re: Ordinance F-2012-12

Date: August 27, 2012

Time: 5:15 p.m.

Notify: Philip Hooper/Jane Reel, DMD

Authorization of Appropriation and Transfer  
of Funds (DMD)

**PUBLIC WORKS COMMITTEE:**

Re: Ordinance G-2012-15

Date: August 27, 2012

Time: 5:20 p.m.

Notify: Bret Sermersheim – Morley and Associates

.....  
**CHAIRMAN DAN McGINN**  
.....

Petition to vacate 12' Utility Easement

8003 & 8105 Walnut Street.

Re: Ordinance G-2012-16

Date: August 27, 2012

Time: 5:15 p.m.

Notify: Ted Ziemer

Amending Chapter 13.15 (Water)

.....  
**September 10, 2012**  
.....

Re: Ordinance F-2012-11 Approving the CDBG, ESG, HOME  
Date: September 10, 2012 Ordinance.  
Time: 5:10 p.m.  
Notify: Philip Hooper/Jane Reel, DMD

**CITY COUNCIL  
COMMITTEE MEETING SCHEDULE**

.....  
**August 13, 2012**  
.....

**A.S.D. COMMITTEE:**

Re: Ordinance G-2012-14

Date: August 13, 2012

Time: 5:20 p.m.

Notify: John Hamilton

**CHAIRMAN MISSY MOSBY**

Amending Section 9.10.020

of the Municipal Code

regarding fireworks

.....  
**August 15, 16, 17, 2012 (Wednesday, Thursday, Friday)**  
.....

Re: City Budget Hearings

Date: August 15, 2012 (Wednesday)

Time: 4:00 p.m.

Room 301

Date: August 16, 2012 (Thursday)

Time: 4:00 p.m.

Room 301

Date: August 17<sup>th</sup>, 2012 (Friday)

Time: 4:00 p.m.

Room 301

.....  
**August 27, 2012**  
.....

**FINANCE COMMITTEE:**

Re: Resolution C-2012-17

Date: August 27, 2012

Time: 5:10 p.m.

Notify: Ted Ziemer

**CHAIRMAN JOHN FRIEND**

Interlocal Agreement for paving at

at Oak Hill Cemetery.

Re: Ordinance F-2012-12

Date: August 27, 2012

Time: 5:15 p.m.

Notify: Philip Hooper/Jane Reel, DMD

Authorization of Appropriation and Transfer  
of Funds (DMD)

**PUBLIC WORKS COMMITTEE:**

Re: Ordinance G-2012-15

Date: August 27, 2012

Time: 5:20 p.m.

Notify: Bret Sermersheim – Morley and Associates

**CHAIRMAN DAN McGINN**

Petition to vacate 12' Utility Easement

8003 & 8105 Walnut Street.

Re: Ordinance G-2012-16

Date: August 27, 2012

Time: 5:15 p.m.

Notify: Ted Ziemer

Amending Chapter 13.15 (Water)

September 19, 2012

Re: Ordinance F-2012-11

Approving the CDBG, ESG, HOME

Date: September 10, 2012

Ordinance.

Time: 5:10 p.m.

Notify: Philip Hooper/Jane Reel, DMD

## 2013 BUDGET FINANCE COMMITTEE HEARINGS SCHEDULE (REVISED)

### August 15, 2012, Wednesday, 4:00 pm, Room 301, Civic Center

- 4:00 pm      - Mayor's Budget Overview  
              - Review Assumptions  
              - Review Revenues  
              - Review Miscellaneous Departments  
              - Insurance Funds  
              - Personnel  
              - Sustainability / EPA
- 5:00 pm      - Finance  
              - Law  
              - City Council  
              - City Clerk  
              - Parking Meter  
              - Mayor

### August 16, 2012, Thursday, 4:00 pm, Room 301, Civic Center

- 4:00 pm      - Fire  
              - Fire Merit  
              - Fire Pension
- 4:45 pm      - Police  
              - Police Training  
              - Police Pension
- 5:30 pm      - Water and Sewer Utility

### August 17, 2012, Friday, 4:00 pm, Room 301, Civic Center

- 4:00 pm      - Public Works  
              - METS  
              - Locust Hill Cemetery  
              - Oak Hill Cemetery  
              - Street Maintenance Department  
              - Urban Forestry  
              - Local Roads and Streets  
              - Engineering
- 4:45 pm      - Parks and Recreation  
              - Various Park Facilities  
              - Golf  
              - Sports  
              - Mesker Zoo
- 5:30 pm      - Dept. Metropolitan Development (DMD)

(Revised 8/13/12)

**FILED**

AUG 13 2012

*Opima Brown*  
CITY CLERK

12:29 pm



## DEPARTMENT OF METROPOLITAN DEVELOPMENT

LLOYD WINNECKE  
MAYOR

One N.W. Martin Luther King, Jr. Blvd.  
306 Civic Center Complex Evansville, IN 47708  
(812) 436-7823 TDD: (812) 436-4928 Fax: (812) 436-7809

PHILIP R. HOOPER  
EXECUTIVE DIRECTOR

### Memorandum

---

TO: Evansville City Council

FROM: Philip R. Hooper

DATE: August 13, 2012

RE: 2013 CDBG/ESG Binder Spreadsheet

---

Please remove the spreadsheet and the table of contents pages from your binder and replace with the following new pages titled: Table of Contents and City of Evansville Department of Metropolitan Development 2013 ESG and CDBG Allocations.

Thank you.



# Table of Contents

	Agency	Project Name
<i>Child Care</i>		
1	Ark Crisis Child Care	Crisis Child Care
2	Memorial Community Development Corporation	Memorial Child Care
3	NEEDS	NEEDS Weekend Childcare Ministry
<i>Employment Training</i>		
4	Counseling for Change	Counseling for Change Jobs Program
<i>Food &amp; Nutrition</i>		
5	CAPE	Emergency Needs Pantry
6	Tri-State Food Bank	Ending Hunger in Evansville
<i>Handicapped Services</i>		
7	Evansville ARC Inc.	Communication & Assessment Training
<i>Homeless Prevention</i>		
8	Outreach Ministries	Crisis Intervention
9	SW Indiana Chapter American Red Cross	Financial Assistance for Burned Out Families
<i>Homeless Services</i>		
10	Albion Fellows Bacon Center	Domestic Violence Shelter Program
11	Aurora Inc.	Aurora Stabilization Program
12	Aurora Inc.	Discharge Planning Coalition
13	Aurora Inc.	Homeless Outreach Team
14	ECHO Housing Corporation	Lucas Place Transitional Housing
15	Evansville Goodwill Industries	Goodwill Family Center
16	House of Bread and Peace, Inc.	Sheltering the Homeless
17	Ozanam Family Shelter Corporation	Ozanam Operating Salaries
18	United Caring Shelters, Inc.	Day Shelter Services
19	YWCA	Residence Services
<i>Homeownership Assistance</i>		
20	HOPE of Evansville, Inc.	Housing Counseling Services
21	Star Mortgage	Employer Assisted Housing
<i>Senior Services</i>		
22	Carver Community Organization, Inc.	Carver Senior Services
23	Meals on Wheels of Evansville, Inc.	Meals on Wheels
24	VOICES, Inc.	Nursing Home Ombudsman Program
<i>Youth Services</i>		
25	Boys and Girls Club of Evansville	Fulton Square
26	Boys and Girls Club of Evansville	Service to Girls
27	Carver Community Organization, Inc.	Carver Youth Program
28	ECHO Housing Corporation	ECHO Family Enrichment Center
29	Memorial Community Development Corp.	21st Century Pioneers
30	New Hope Development Corp.	NHDC Tutoring & Mentoring Program
31	Tri-State Food Bank	Backpack Food For Kids Program
32	YMCA of Southwestern Indiana, Inc.	YMCA Caldwell Community Outreach Center
33	YMCA of Southwestern Indiana, Inc.	YMCA Y-CAP/YMCA Outreach
34	YWCA	Live Y'ers
35	Department of Metropolitan Development	Rat Bait (See Spreadsheet for Description)
36	Carver Community Organization, Inc.	A.M. Childcare
37	Carver Community Organization, Inc.	P.M. Childcare
38	Memorial Community Development Corp.	Youth Employment Program
39	Memorial Community Development Corp.	Garden Market
40	- 55 Internal Requests/City Departments	(See Spreadsheet for Projects/Descriptions)

**City of Evansville, Department of Metropolitan Development**  
**2013 ESG and CDBG Allocations**

Proj. #	Organization/Agency	Project Description	TYPE	2012 Approp.	2013 Request	CAC Recmndtn	Mayor's Recmndtn	Council Allocations
<b>Homeless Services</b>								
10	Albion Fellows Bacon Center	Domestic Violence Shelter Program	1 PUBLIC SERVICE	18,611	35,000	20,283	20,283	
11	Aurora, Inc. -Stabilization	Rapid Re-Housing	1 PUBLIC SERVICE	0	186,100	186,100	186,100	
12	Aurora, Inc	Discharge Planning Coalition	1 PUBLIC SERVICE	8,700	15,000	10,372	10,372	
13	Aurora, Inc	Aurora Homeless Outreach Team	1 PUBLIC SERVICE	15,660	23,000	17,332	17,332	
14	ECHO Housing Corporation	Lucas Place	1 PUBLIC SERVICE	14,790	24,000	16,462	16,462	
15	Evansville Goodwill Industries	Goodwill Family Center	1 PUBLIC SERVICE	12,081	25,000	13,753	13,753	
16	House of Bread & Peace	Sheltering the Homeless	1 PUBLIC SERVICE	12,180	25,008	13,852	13,852	
17	Ozanam Family Shelter Corporation	Operational Costs	1 PUBLIC SERVICE	16,530	35,000	18,199	18,199	
18	United Caring Shelters, Inc	Day Shelter Services	1 PUBLIC SERVICE	21,750	45,000	23,422	23,422	
19	YWCA	YWCA Residence Services	1 PUBLIC SERVICE	18,799	42,000	20,471	20,471	
		<b>TOTAL ESG</b>		<b>139,101</b>	<b>455,108</b>	<b>340,246</b>	<b>340,246</b>	
<b>Child Care</b>								
1	Ark Crisis Child Care	Crisis Child Care	1 PUBLIC SERVICE	19,140	60,000	19,140	19,140	
2	Memorial Community Development Corporation	Memorial Childcare	1 PUBLIC SERVICE	9,440	15,000	9,440	9,440	
3	NEEDS	NEEDS Weekend Childcare	1 PUBLIC SERVICE	13,920	17,181	13,920	13,920	
<b>Employment Training</b>								
4	Counseling for Change, Inc	Jobs Program	1 PUBLIC SERVICE	19,045	45,000	19,045	19,045	
<b>Food &amp; Nutrition</b>								
5	CAPE- Emergency Needs Pantry	Provide food, diapers, formula	1 PUBLIC SERVICE	0	10,550	6,169	6,169	
6	Tri-State Food Bank	Ending Hunger in Evansville	1 PUBLIC SERVICE	38,280	75,000	38,280	38,280	
<b>Handicapped Services</b>								
7	Evansville Arc, Inc.	Communication Assessment & Training	1 PUBLIC SERVICE	8,262	10,312	8,262	8,262	
<b>Homeownership Prevention</b>								
8	Outreach Ministries, Inc	Homeless Prevention/Crisis Intervention	1 PUBLIC SERVICE	10,440	55,000	10,440	10,440	
9	Southwestern Indiana Chapter American Red Cross	Local Family Fire Assistance	1 PUBLIC SERVICE	8,830	22,000	8,830	8,830	
<b>Homeownership Assistance</b>								
20	HOPE of Evansville, Inc	Housing Counseling Services	1 PUBLIC SERVICE	8,657	9,950	8,657	8,657	
21	STAR CONSULTANTS	Housing Counseling Services	1 PUBLIC SERVICE	0	56,244	0	0	
<b>Senior Services</b>								
22	Carver Community Organization, Inc	Carver Senior Services	1 PUBLIC SERVICE	20,256	33,384	20,256	20,256	
23	Meals on Wheels of Evansville, Inc	Meals on Wheels	1 PUBLIC SERVICE	9,766	16,000	9,766	9,766	
24	VOICES, Inc	Long-Term Care Ombudsman	1 PUBLIC SERVICE	17,270	27,468	17,270	17,270	

**City of Evansville, Department of Metropolitan Development**  
**2013 ESG and CDBG Allocations**

<b>Youth Services</b>									
25	Boys & Girls Club of Evansville	Fulton Square Unit	1 PUBLIC SERVICE	17,400	40,000	17,400	17,400		
26	Boys & Girls Club of Evansville	Service to Girls	1 PUBLIC SERVICE	15,582	100,000	15,582	15,582		
27	Carver Community Organization, Inc	Carver Youth Programs	1 PUBLIC SERVICE	20,996	28,799	20,996	20,996		
28	ECHO Housing Corporation	Family Enrichment Center	1 PUBLIC SERVICE	0	24,000	6,169	6,169		
29	MEMORIAL CDC	21st Century Pioneers	1 PUBLIC SERVICE	0	20,000	6,169	6,169		
30	NEW HOPE DC	Tutoring and Mentoring	1 PUBLIC SERVICE	0	50,000	6,169	6,169		
31	Tri-State Food Bank	Backpack Food for Kids Program	1 PUBLIC SERVICE	20,612	56,333	20,612	20,612		
32	YMCA of Southwestern Indiana	YMCA Outreach/Y-CAP	1 PUBLIC SERVICE	12,630	24,550	12,630	12,630		
33	YMCA of Southwestern Indiana	YMCA Caldwell Community Outreach Center	1 PUBLIC SERVICE	8,889	38,500	8,889	8,889		
34	YMCA	Live Yers	1 PUBLIC SERVICE	15,909	30,000	15,909	15,909		
		<b>SUB-TOTAL CDBG</b>		<b>434,425</b>	<b>865,271</b>	<b>320,000</b>	<b>320,000</b>		
35	Department of Metropolitan Development	Rat Bait-CDBG	1 PUBLIC SERVICE	2,000	2,000	n/a	2,000		

**TOTAL ESG** 340,246  
**TOTAL CDBG** 320,000  
**RAT BAIT** 2,000  
**TOTAL PUBLIC SVC ALLOCATION** 662,246

Proj. #	Organization/Agency	Project Description	TYPE	2012 Approp.	2013 Request	CAC Recommendation	Mayor's Recommendation	Council Allocations
<b>Community Based Development Organizations</b>								
36	Carver Community Organization, Inc	A.M. Childcare	2 NON-PUBLIC SERVICE	40,000	75,031	n/a	40,000	
37	Carver Community Organization, Inc	P.M. Childcare	2 NON-PUBLIC SERVICE	50,000	59,263	n/a	50,000	
38	Memorial Community Development Corporation	Youth Program	2 NON-PUBLIC SERVICE	125,000	185,000	n/a	125,000	
39	Memorial Community Development Corporation	Garden Market Program	2 NON-PUBLIC SERVICE	50,000	100,000	n/a	50,000	

City of Evansville, Department of Metropolitan Development  
2013 ESG and CDBG Allocations

Organization/Agency	Project Description	TYPE	2012 Approp.	2013 Request	CAC Recmndtn	Mayor's Recmndtn	Council Allocations
40 BLDG COMMISSION	Trash & Debris	2 NON-PUBLIC SERVICE	150,000		n/a	150,000	
41 City-County Human Relations Commission	Fair Housing Outreach Disposition: The City of Evansville through its DMD manages and acquires property in critical neighborhood and downtown redevelopment scenarios. Costs that incur from this essential activity include various items involved with property disposition including clearing title, surveying, appraisals, etc. Through the use of CDBG for these activities, we can help HUD achieve goals potentially related to slum and blight removal, area benefit, and economic development job creation, and help our community agencies achieve their goals in the community.	2 NON-PUBLIC SERVICE	6,000	6,000	n/a	6,000	
42 Department of Metropolitan Development	Acquisition: unless the City of Evansville acquires properties at critical stages of the tax foreclosure process and the general property down cycle, we wont have an ability to control a response to vacancy and abandonment and community stabilization. Property acquired through this use of CDBG helps HUD achieve goals potentially related to slum and blight removal, area benefit, and economic development job creation, and help our community agencies achieve their goals in the community.	2 NON-PUBLIC SERVICE	90,000		n/a	110,000	
43 Evansville Brownfields Corporation	Neighborhood Association Expenses	2 NON-PUBLIC SERVICE	100,000		n/a	100,000	
44 Focus Neighborhood Community Development	Emergency Home Repair Program	2 NON-PUBLIC SERVICE	4,875		n/a	9,000	
45 Memorial Community Development Corporation	Build/renovate building for Mkt Program	2 NON-PUBLIC SERVICE	100,000	284,410	n/a	284,410	
46 Memorial CDC Neighborhood Market	Micro-loan program	2 NON-PUBLIC SERVICE	0	250,000	n/a	0	
47 Memorial Community Development Corporation	Analysis of Impediments to Fair Housing	2 NON-PUBLIC SERVICE	0	100,000	n/a	25,000	
48 Analysis of Impediments to Fair Housing	Grocery Market Analysis: This is a response to primarily three neighborhood grocery store related inquiries that DMD has received. Memorial CDC's interest in a neighborhood market, the River City Food Coop's interest in expanding and relocating, and the downtown neighborhood's interest in a grocery store. This could all potentially work together, or would at least benefit from understanding how CDBG could be a part of a combined or coordinated effort.	2 NON-PUBLIC SERVICE		25,000		25,000	
49 Department of Metropolitan Development		2 NON-PUBLIC SERVICE		30,000		30,000	

City of Evansville, Department of Metropolitan Development  
2013 ESG and CDBG Allocations

50	Department of Metropolitan Development	Historic Preservation Planning: Several neighborhood and commercial corridors have expressed interest in exploring historic preservation as a community development tool. This use of CDBG will allow DMD to respond in 2013 as the areas develop their goals, and would meet HUD's historic preservation goals through CDBG.	2 NON-PUBLIC SERVICE	30,000		30,000
51	Department of Metropolitan Development	CD Strategic Planning: This portion of CDBG will be used to work with our community development agencies to strategically plan together. Our community development agencies are our HUD implementation arm. Their health, collaboration, partnership, and ability to leverage non-HUD capital is critical to our community and to our ability to meet all of HUD's goals. These funds will be from CDBG administration, and will enable us to respond in 2013 as community development priorities arise, either through lessons learned from 2012 grants, agencies' opportunities, or even as a response to VOICE feedback that may relate to our community development agencies' synergistic missions. Facade Grants - Residential: Facade grants are a core response to neighborhood corridor opportunities in HUD entitlement cities across the country. Having a facade program will enable us to potentially achieve neighborhood economic development goals, slum and blight removal, area benefit, historic preservation, and strengthen urban corridors in our core urban neighborhoods. Facade Grants - Commercial: Facade grants are a core response to neighborhood corridor opportunities in HUD entitlement cities across the country. Having a facade program will enable us to potentially achieve neighborhood economic development goals, slum and blight removal, area benefit, historic preservation, and strengthen urban corridors in our core urban neighborhoods.	2 NON-PUBLIC SERVICE	50,000		50,000
52	Department of Metropolitan Development	Facade Grants - Commercial: Facade grants are a core response to neighborhood corridor opportunities in HUD entitlement cities across the country. Having a facade program will enable us to potentially achieve neighborhood economic development goals, slum and blight removal, area benefit, historic preservation, and strengthen urban corridors in our core urban neighborhoods.	2 NON-PUBLIC SERVICE	100,000		100,000
53	Department of Metropolitan Development		2 NON-PUBLIC SERVICE	100,000		100,000

City of Evansville, Department of Metropolitan Development  
2013 ESG and CDBG Allocations

54	Department of Metropolitan Development	NRSA Project: The NRSA (Neighborhood Revitalization Strategy Area) is a HUD designation and boundary in which potentially half of any CDBG allocated within the boundary can be spent for market rate uses much more flexibly. The established goals of our NRSA plan are: Education Attainment/Basic Employment Skills, Public Safety, Vacant Properties, and Bricks and Mortar Development. Core Neighborhood Rehab: This is a historic use of CDBG funds that have been set aside to conduct exterior rehabilitation of owner occupied houses.	2 NON-PUBLIC SERVICE	360,000	360,000
55	Department of Metropolitan Development	Total Non-Public Service CDBG	2 NON-PUBLIC SERVICE	100,000	100,000

ESG HOMELESS SERVICES ALLOCATION

340,246

CDBG PUBLIC SVC ALLOCATION

320,000

RAT BAIF - CDBG Public Service

2,000

TOTAL NON PUBLIC SERVICE

1,654,410

TOTAL CDBG

1,976,410

GRAND TOTAL

2,316,656